

REMARKS

I. Formal Matters.

Claims 18-24, 27-30, 48-54 and 57-64 have been examined on their merits. Claims 25, 26, 55, 56 and 65-72 were withdrawn from consideration based on the Response to Restriction Requirement filed on February 9, 2005. Claims 18-30 and 48-72 are all the claims presently pending in the application. Applicant thanks the Examiner for indicating that the drawings filed October 21, 2003, are acceptable.

II. Claims.

The Examiner rejects claims 18, 24, 27-30, 48, 54 and 57-64 under 35 U.S.C. § 102(b) as allegedly being anticipated by *Nagasaka et al.* (U.S. Patent No. 5,818,439).

Claims 18. The Examiner asserts that *Nagasaka* discloses grouping the plurality of frames into a plurality of video shots (OA page 3, Examiner *citing to Nagasaka* at col. 2, lines 37-42).

Nagasaka teaches that a representative image, as defined by *Nagasaka*, denotes images extracted one by one from each of the shots of the video. The term shot, as defined by *Nagasaka*, denotes a continuous image interval taken by a single camera. And further, *Nagasaka* teaches that the shot is the smallest unit of video that can be regarded as one block in terms of image and content (*Nagasaka* col. 2, lines 37-42). *Nagasaka* teaches a method of dividing a whole video into shots to make the start image of each shot a representative image, however, *Nagasaka* fails to teach or suggest grouping by three time dependent criteria (col. 8, lines 2-20).

In contrast, claim 18 requires grouping said plurality of frames into a plurality of video shots, wherein grouping is determined using a minimum time for frame inclusion, a maximum

time for frame exclusion and a range of time from the minimum to the maximum time, for which further analysis is performed. The subject Application clearly teaches and claim 18 particularly requires grouping frames into video shots using multiple time dependent criteria (claim 18; page 23, lines 11-24). At least for failing to disclose grouping frames into shots using a minimum time for exclusion, a maximum time for exclusion, and a range of time for further evaluation, the rejection of claim 18 as being anticipated by Nagasaka under 35 U.S.C. § 102(b), should be withdrawn.

With respect to independent claim 48, Applicant submits that claim 48 is allowable as well for at least reasons analogous to those discussed above with respect to claim 18. Applicant submits that claims 24, 27-30, 54, 57-64 are allowable at least by virtue of their dependence upon an allowable claim. Applicant respectfully requests that the Patent Office reconsider and withdraw the § 102(b) rejection of claims 24, 27-30, 48, 54, and 57- 64.

The Examiner rejects claims 19-23 and 49-53 under 35 U.S.C. § 103(a) as allegedly being unpatentable over *Nagasaka* in view of *Lim* (U.S. Patent No. 6,574,378).

Claims 19-23 and 49-53 are asserted as being allowable at least by virtue of their dependence upon an allowable claim.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

AMENDMENT UNDER 37 C.F.R. 1.116
EXPEDITED PROCEDURE
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The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

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